

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 11-98)		ATTORNEY'S DOCKET NUMBER <b>112843-029</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <b>09/936367</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/01796</b>	INTERNATIONAL FILING DATE <b>2 March 2000</b>	PRIORITY DATE CLAIMED <b>11 March 1999</b>
TITLE OF INVENTION <b>EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE PRESENCE OF CARBON SOURCES</b>		
APPLICANT(S) FOR DO/EO/US <b>Affolter et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li><input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </li> <li><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li><input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol>		
Items 13 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input checked="" type="checkbox"/> Certificate of Mailing by Express Mail</li> <li><input checked="" type="checkbox"/> Other items or information: <b>CNCM Confirmation Letter; and Return Receipt Postcard.</b></li> </ol>		

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <b>09/936367</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP00/01796</b>	ATTORNEY'S DOCKET NUMBER <b>112843-029</b>
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21. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

- |                                                                                                                                                                                                                                   |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . | \$1,000.00 |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . .                                               | \$860.00   |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .                                                     | \$710.00   |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .                                                      | \$690.00   |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .                                                            | \$100.00   |

**CALCULATIONS PTO USE ONLY**

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$860.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

**\$0.00**

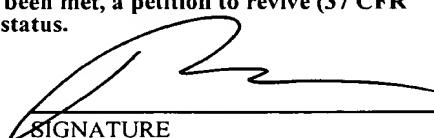
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	18 - 20 =	0	x \$18.00	<b>\$0.00</b>
Independent claims	4 - 3 =	1	x \$78.00	<b>\$78.00</b>
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	<b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$938.00</b>
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).				<input type="checkbox"/> <b>\$0.00</b>
<b>SUBTOTAL =</b>				<b>\$938.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<input type="checkbox"/> + <b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>				<b>\$938.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/> <b>\$0.00</b>
<b>TOTAL FEES ENCLOSED =</b>				<b>\$938.00</b>
				<b>Amount to be: refunded</b> <b>\$</b>
				<b>charged</b> <b>\$</b>

- A check in the amount of **\$938.00** to cover the above fees is enclosed.
- Please charge my Deposit Account No. **02-1818** in the amount of **A duplicate copy of this sheet is enclosed.** to cover the above fees.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **02-1818** **A duplicate copy of this sheet is enclosed.**

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Robert M. Barrett, Esq.  
Bell, Boyd & Lloyd LLC  
P.O. Box 1135  
Chicago, Illinois 60690-1135  
Tel: (312) 807-4204



SIGNATURE

**Robert M. Barrett**

NAME

**30,142**

REGISTRATION NUMBER

**September 11, 2001**

DATE

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Affolter et al.

Docket No.  
Uy/936367  
112843-029Serial No.  
UnknownFiling Date  
HerewithExaminer  
UnknownGroup Art Unit  
Unknown

Invention: EXPRESSION OF PROTEOLYTIC ENZYMES IN KOJI MOLD IN THE PRESENCE OF CARBON SOURCES

I hereby certify that the following correspondence:

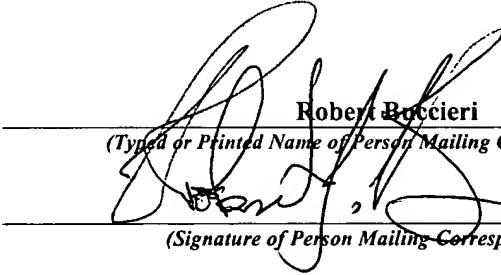
Transmittal Letter (duplicate); International Application as Published; Declaration and Power of Attorney (4 pages); Search Report; Preliminary Examination Report; Preliminary Amendment (5 pages); CNCM Confirmation Letter; Check in the amount of \$938.00; and Return Receipt Postcard.

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

September 11, 2001

(Date)

  
Robert Buccieri

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

EL 647 237 261 US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

**CNCM**

Collection Nationale  
de Cultures de Microorganismes  
**INSTITUT PASTEUR**  
25, Rue du Docteur Roux  
F-75724 PARIS CEDEX 15

Tel : (33-1) 45 68 82 50  
Fax : (33-1) 45 68 82 36

09/936367  
Paris, le 09 mars 1999

518 Rec'd PCT/PTO 11 SEP 2001

Monsieur Roman VUILLE  
SOCIETE DES PRODUITS NESTLE S.A.  
Patents Department  
Avenue Nestlé 55  
CH-1800 VEVEY  
SUISSE

12 MARS 1999

**LETTER RECOMMENDED  
WITH RECEIPT ACCUSED  
AND TELECOPIE: (41) 21 924 28 80 / (41) 21 785 89 25**

N/R : CNCM-6723.903

Obj : Enregistrement d'un champignon filamenteux "NF14 (areA 1, creA 1)"  
en vue d'un dépôt aux termes du Traité de Budapest

Cop : Monsieur Peter van den Broek  
Nestlé Research Centre, Vers-chez-les-Blanc, P.O. Box 44, CH-1000 LAUSANNE 26

Monsieur,

Par la présente, nous vous confirmons avoir reçu ce jour, en vue d'un dépôt initial suivant la règle 6.1 du Traité de Budapest, une subculture sur gélose pour le microorganisme identifié ci-dessous ainsi que les documents originaux y relatifs.

Votre projet de dépôt a été enregistré à la CNCM  
à la date du **09 MARS 1999** sous le numéro suivant

Référence d'identification

**NF14 (are A1 , creA 1)**

Numéro d'enregistrement CNCM

**I-2165**

Si un dépôt est accepté, le numéro d'ordre attribué par la CNCM est identique  
au numéro d'enregistrement et la date du dépôt est la date de l'enregistrement.

Selon les indications données au cours de notre conversation téléphonique de ce jour :

Le matériel microbien n'a pas été remis sous forme de préparations lyophilisées ou  
congelées conformément aux exigences particulières de la CNCM en application de la  
règle 6.3.a.i) du Traité de Budapest.

En conséquence, l'acceptation du présent projet de dépôt sera soumise, à la fin des  
contrôles de viabilité et de pureté, à un accord préalable par le responsable  
scientifique du déposant sur la conformité d'une subculture d'un lot congelé, préparé  
par la CNCM.

Restant à votre disposition,  
nous vous prions d'agréer, Monsieur, l'expression de notre considération distinguée.

*Y. Lericq*